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PATENT
P56907US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

RAJAN A. JAISINGHANI

Serial No.: 10/545,135

Examiner: CHIESA, RICHARD L.

Filed: 10 August 2005

Art Unit: 1724

For: LOW PRESSURE DROP DEEP ELECTRICALLY ENHANCED FILTER

PETITION UNDER 37 C.F.R. §1.181

Mail Stop: Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant respectfully petitions from the Examiner's failure in the first Office action (unnumbered paper) mailed on 25 May 2006 to enter Amendment filed on 3 January 2005 in PCT International application, and to acknowledge that copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau, and as reasons therefore, states that:

Folio: P56907US

Date: 6/26/06

I.D.: REB/sb

STATEMENT OF FACTS

1. On 11 December 2003, Applicant filed an PCT International application in the U.S.

Patent & Trademark Office as Receiving Office, including:

- Request (Form PCT/RO/101);
- Specification, Claims 1-20 and Abstract;
- Formal drawings;
- Power of Attorney; and
- Fee transmittal with check#45063 for \$2,178.00.

In the Request, the priority of earlier U.S. applications was claimed:

- 60/395,322 filed on 12 July 2002;
- 60/437,140 filed on 10 February 2003;
- 60/465,277 filed on 25 April 2003; and
- 10/618,457 filed on 14 July 2003.

2. On 5 February 2004, a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) and a Notification Concerning Payment of Prescribed Fees (Form PCT/RO/102) were mailed by the U.S. Patent & Trademark Office as Receiving Office. The Notifications confirmed that the international application number PCT/US03/37086 has been assigned to the application, that the International application has been transmitted to International Bureau, and that the fee has been properly paid.
3. On 3 November 2004, a Written Opinion (Form PCT/IPEA/408) was mailed by the U.S. Patent & Trademark Office.

4. On 3 January 2005, Applicant filed Amendment consisting of Replacement Sheets of pages 37-40 (4 sheets) containing amended claims 11-20 and new claims 21-24 and page 41 (1 sheet) containing the abstract, in response to Written Opinion. In the Amendment, claims 11-20 were amended and claims 21-24 were newly added.
5. Upon filing of the Amendment, Applicant received a date-stamped postcard receipt from the Mail Room of the U.S. Patent & Trademark Office, confirming the timely filing and receipt by the Office of the Amendment.
6. On 10 February 2005, a Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) and International Preliminary Examination Report (Form PCT/IPEA/409) accompanying its Annexes (replacement sheets of pages 37-40 (4 sheets) containing amended claims 11-20 and new claims 21-24, and page 41 (1 sheet) containing the abstract, filed on 3 January 2005) were mailed. The Notification stated that the report accompanying its Annexes were transmitted to International Bureau for communication to all the elected Offices, and International Preliminary Examination Report indicated that claims 1-24 were examined by International Preliminary Examination Authority.
7. On 10 August 2005, Applicant filed U.S. National Stage application in the U.S. Patent & Trademark Office, as Designated/Elected Office, including:

- Transmittal Letter to the United States Designated/Elected Office (Form PTO-1390);
- copies of:
 - International publication WO2005/035133;
 - International Search Report (Form PCT/ISA/210);
 - International Preliminary Examination Report (Form PCT/IPEA/409) accompanying its Annexes (replacement sheets of pages 37-40 (4 sheets) containing amended claims 11-20 and new claims 21-24 and page 41 (1 sheet) containing the abstract, filed on 3 January 2005);
- PTO-1449;
- Declaration; and
- Fee Transmittal with check #49449 for \$500.00.

8. Upon filing of the U.S. National Stage application, Applicant received a date-stamped postcard receipt from the Mail Room of the U.S. Patent & Trademark Office, confirming the timely filing and receipt by the Office of the U.S. National Stage application.

9. On 5 April 2006, a Notice of Acceptance of Application under 35 U.S.C. 371 and 37 C.F.R. 1.495 was mailed. The Notice stated that:

“The following items have been received:

- Copy of the IPE Report filed on 08/10/2005
- Priority Documents filed on 08/10/2005”

10. On 25 May 2006, a non-final Office action (unnumbered paper) was mailed. In the Office action, it stated that claims 1-20 were pending in this application, and the Examiner failed to consider Amendment (amended claims 11-20 and added claims 21-24) filed on 3 January 2005 in the International application, and acknowledge receipt of copies of certified copies of the priority documents from the International Bureau in PTOL-326.

REMARKS

Amendment has been properly filed on 3 January 2005 in the International application, in response to Written Opinion dated 3 November 2004. Also, a copy of International Preliminary Examination Report accompanying its Annexes (replacement sheets of pages 37-40 (4 sheets) containing amended claims 11-20 and new claims 21-24 and page 41 (1 sheet) containing the abstract, filed on 3 January 2005) has been submitted with the U.S. National Stage application on 10 August 2005. Copies of postcard receipt dated 3 January 2005 attesting to the timely filing and receipt of the Amendment, and postcard receipt dated 10 August 2005 attesting to the filing and receipt of U.S. National Stage application, including International Preliminary Examination Report accompanying its Annexes (replacement sheets of pages 37-40 (4 sheets) containing amended claims 11-20 and new claims 21-24 and page 41 (1 sheet) containing the abstract, filed on 3 January 2005), are enclosed.

Therefore, consideration and entry of the Amendment filed on 3 January 2005 is respectfully requested.

The priority of earlier U.S. applications was claimed in the International application filed on 11 December 2003, and the International application has been communicated by International Bureau. A copy of a Notice of Acceptance of Application under 35 U.S.C. 371 and 37 C.F.R. 1.495 mailed on 5 April 2006 is enclosed. The acknowledgment of receipt of copies of certified copies of the priority documents from the International Bureau in PTOL-326 is respectfully requested.

RELIEF REQUESTED

Accordingly, Applicant respectfully requests the Commissioner to:

- A. Enter Amendment filed on 3 January 2005;
- B. Acknowledge receipt of copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau; and
- C. Grant such other and further relief as justice may require.

Respectfully submitted,



Robert E. Bushnell
Attorney for the Applicant
Registration No.: 27,774

1522 "K" Street N.W., Suite 300
Washington, D.C. 20005
(202) 408-9040

Folio: P56907US
Date: 6/26/06
I.D.: REB



COPY

P56907-INT (PCT-International) 3 January 2005

Applicant: Rajan A. JAISINGHANI

I.A. No.: PCT/US03/37086

I.A. Filed: 11 December 2003

For: *LOW PRESSURE DROP DEEP ELECTRICALLY ENHANCED FILTER*

Document(s) filed:

1. Letter (responsive to Written Opinion (PCT/IPEA/408) dated 3 November 2004) - 4 pages
2. Replacement sheets of the claim amendments, pages 37-40 (4 sheets)
3. The Abstract (page 41) (1 sheet)



Total 9 sheets



COPY

P56907-INT (Small Entity) 10 August 2005 PCT-National Stage

Applicant: Rajan A. JAISINGHANI

S.N.: *to be assigned*

Priority No. 60/395,322 (7/12/02)

Filed: 10 August 2005

International Application No. **PCT/US2003/037086** filed on **11 December 2003**

For: **LOW PRESSURE DROP DEEP ELECTRICALLY ENHANCED FILTER**

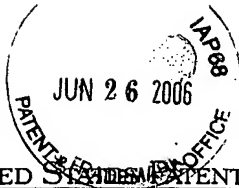
Document(s) filed:

JC06 Rec'd PCT/PTO 10 AUG 2005

1. Form PTO-1390
2. Fee Transmittal and Check #49449 for \$500.00
3. Copies of - WO 2005/035133 A1; International Search Report (PCT/ISA/210); and International Preliminary Examination Report (PCT/IPFA/409) and the Annex
4. PTO-1449 & Transmittal of PTO-1449
5. Declaration (executed), Transmittal of Declaration
6. This post card.

10/545135

PLEASE HOLD FOR SERIAL NUMBER



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/545,135	Rajan A. Jaisinghani	P56907-INT

INTERNATIONAL APPLICATION NO.	
PCT/US03/37086	
I.A. FILING DATE	PRIORITY DATE
12/11/2003	02/10/2003

Robert E Bushnell
 Attorney at Law
 Suite 300
 1522 K Street NW
 Washington, DC 20005-1202

COPY

CONFIRMATION NO. 2162

371 ACCEPTANCE LETTER



OC000000018443251

Date Mailed: 04/05/2006

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>08/10/2005</u>	<u>08/10/2005</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Indication of Small Entity Status
- Copy of the International Application filed on 08/10/2005
- Copy of the International Search Report filed on 08/10/2005
- Copy of IPE Report filed on 08/10/2005
- Preliminary Amendments filed on 08/10/2005
- Information Disclosure Statements filed on 08/10/2005
- Oath or Declaration filed on 08/10/2005
- Small Entity Statement filed on 08/10/2005
- Request for Immediate Examination filed on 08/10/2005
- U.S. Basic National Fees filed on 08/10/2005
- Priority Documents filed on 08/10/2005

- Power of Attorney filed on 08/10/2005

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)